


EXHIBIT 1

 Premium Content | [Register](#) | [Log In](#) | [Help](#)



embossed

[Search](#)

[Dictionary](#)

[Thesaurus](#)

[Encyclopedia](#)

[All Reference](#)

[The Web](#)

ADVERTISEMENT

3 results for: *embossed*

(Browse Nearby Entries)

Calendering & Embossing

Get help with a machine project or identifying growth opportunities.


www.johnbok.com

Sponsored

Links

Personal Embosser

Premium Embossers & Waxseals Monogram, Address, Library and more

www.livingvictorian.com*American Heritage Dictionary – Cite This Source – Share This***em · boss**  (ēm-bōs', -bōs') Pronunciation Keytr.v. **em · bossed**, **em · boss · ing**, **em · boss · es**

1. To mold or carve in relief: *emboss a design on a coin.*
2. To decorate with or as if with a raised design: *emboss leather.*
3. To adorn; decorate.
4. To cover with many protuberances; stud: *"The whole buoy was embossed with barnacles" (Herman Melville).*

[Middle English *embosen*, from Old French *embocer* : *en-*, *in*; see *en-*¹ + *boce*, *knob*.]

em · boss'er *n.**(Download Now or Buy the Book)**The American Heritage® Dictionary of the English Language, Fourth Edition**Copyright © 2006 by Houghton Mifflin Company.**Published by Houghton Mifflin Company. All rights reserved.*

Embossing

Embossing & More! 100,000 Stores. Deals. Reviews.

shopping.yahoo.com

Sponsored

Links

Bugaboo Scrapbook

Discount Scrapbook Supplies Top Manufacturers at Great Prices!

www.bugabooscrapbook.com

WordNet – Cite This Source – Share This
embossed

THE BEST THING ABOUT THE OLD-BOY NETWORK?

Sponsored
Link

Kernerman English Multilingual Dictionary (Beta Version) – Cite
This Source – Share This

embossed [im'bost] *adjective*

(of metal, leather etc) ornamented with a raised design

Example: *an embossed silver spoon*

Arabic: يزّين بنقش بارز

Chinese (Simplified): 刻有浮雕图案的

Chinese (Traditional): 刻有浮雕圖案的

Czech: reliéfní

Danish: præget

Dutch: met relie af

Estonian: kõrgreljeefis
kujundatud

Finnish: kohokuvioitu

French: travaillé en relief

German: Relief-...

Greek: ανάγλυφος

Japanese: 打ち出した

Korean: 도드라지게 한

Latvian: ar reljefu
rotājumu

Lithuanian: papuoštas
reljefiniu
ornamentu

Norwegian: med preget,
*stemplet
mønster;
relieffmønstret

Polish: wytłoczony

Portuguese (Brazil): trabalhado em
relevo

Portuguese (Portugal): gravado

Romanian: lucrat în relief

Russian: рельефный;
резной

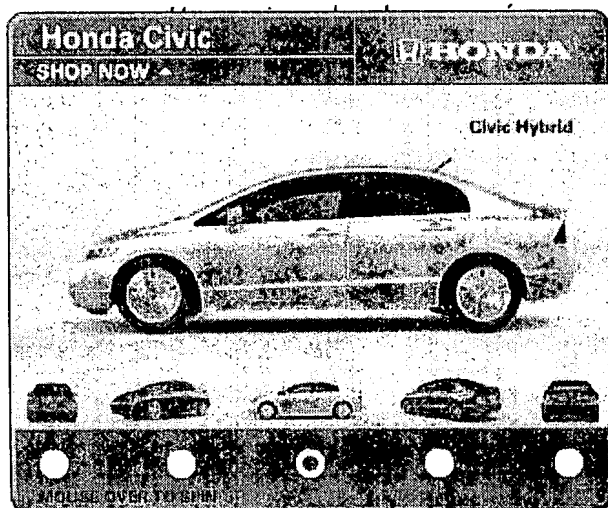
Slovak: ozdobný

Slovenian: reliefen

Spanish: grabado en
relieve,
repujado

Swedish: prydd med
reliefer

Turkish: kabartma(lı)



ADVERTISEMENT

2000-2006 K Dictionaries Ltd.

View results from: Dictionary | Thesaurus | Encyclopedia | All Reference | the Web

Share This:



LANE BRYANT
SIZES 14-28

SOFT. STYLISH
SWEATERS

SAVE 25%
ON ANY ORDER
OF \$100 OR MORE

DETAILS ►

ADVERTISEMENT

Perform a new search, or try your search for "embossed" at:

Amazon.com – Shop for books, music and more

Reference.com – Encyclopedia Search

Reference.com – Web Search powered by Google

Thesaurus.com – Search for synonyms and antonyms

Get the Dictionary.com Toolbar for your browser – FREE download! *From the makers of Dictionary.com*

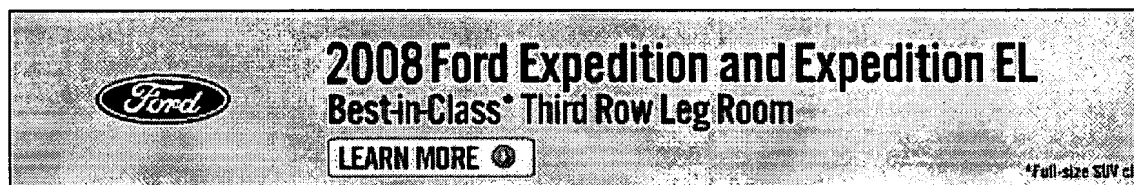
About Dictionary.com | Privacy Policy | Terms of Use | Link to Us | Contact Us

Copyright © 2007, Lexico Publishing Group, LLC. All rights reserved.

EXHIBIT 2



bisected

[Dictionary](#) [Thesaurus](#)


ADVERTISEMENT

2 results for: *bisected*
[Browse Nearby Entries](#)

Sponsored Links

BI Dashboards

Business Intelligence Dashboard Leading BI Dashboard software
www.iDashboards.com

Bible/World History Chart

Elegant chart of our entire history Biblical figures/events chronology
www.visquar.com

[American Heritage Dictionary](#) – [Cite This Source](#) – [Share This](#)
bi·sect (bī'sĕkt', bī-sĕkt') [Pronunciation Key](#)
v. **bi·sect·ed**, **bi·sect·ing**, **bi·sects**
v. *tr.*

To cut or divide into two parts, especially two equal parts.

v. *intr.*

To split; fork.

bi·sec'tion *n.*, **bi·sec'tion·al** *adj.*, **bi·sec'tion·al·ly** *adv.*
(Download Now or Buy the Book)
The American Heritage® Dictionary of the English Language, Fourth Edition

Copyright © 2006 by Houghton Mifflin Company.

Published by Houghton Mifflin Company. All rights reserved.



Reli

Sc

Bi

C

[The American Heritage Science Dictionary](#) – [Cite This Source](#) – [Share This](#)

bisect   (bī'sěkt', bī-sěkt') [Pronunciation Key](#)
To cut or divide into two parts, especially two equal parts.

The American Heritage® Science Dictionary
Copyright © 2002 by Houghton Mifflin Company.
Published by Houghton Mifflin Company. All rights reserved.

View results from: [Dictionary](#) | [Thesaurus](#) | [Encyclopedia](#) | [All Reference](#) | [the Web](#)

Share This:



ADVERTISEMENT

[Perform a new search](#), or try your search for "bisected" at:

[Amazon.com](#) - Shop for books, music and more

[Reference.com](#) - Encyclopedia Search

[Reference.com](#) - Web Search powered by Google

[Thesaurus.com](#) - Search for synonyms and antonyms

[About Dictionary.com](#) | [Privacy Policy](#) | [Terms of Use](#) | [Link to Us](#) | [Contact Us](#)

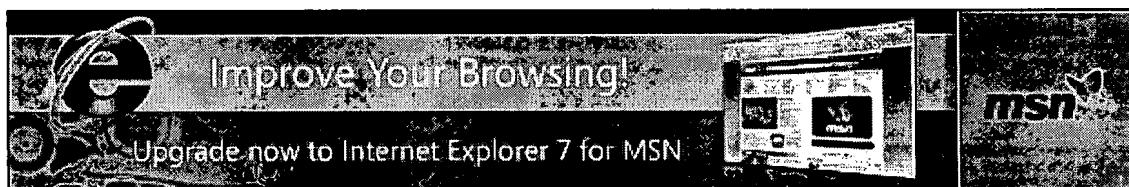
Copyright © 2007, [Lexico Publishing Group, LLC](#). All rights reserved.

EXHIBIT 3



Unperforated

Dictionary Thesaurus



ADVERTISEMENT

1 result for: *Unperforated*

[Browse Nearby Entries](#)

Sponsored Links


Central Vacuum Pipes

Pipe, fittings, installation kits, instructions, Free shipping .
www.ThinkVacuums.com

Pvc Pipe

View Our Complete Selection of Pipes, Fittings & More – Low Prices
www.usplastic.com

[American Heritage Dictionary](#) – [Cite This Source](#) – [Share This](#)

un·per·fo·rat·ed  (ŭn-pŭr'fə-rā'tīd) [Pronunciation Key](#)

adj.

1. Lacking perforations.
2. Imperforate. Used of a postage stamp.

(Download Now or Buy the Book)

The American Heritage® Dictionary of the English Language, Fourth Edition

Copyright © 2006 by Houghton Mifflin Company.

Published by Houghton Mifflin Company. All rights reserved.

View results from: [Dictionary](#) | [Thesaurus](#) | [Encyclopedia](#) | [All Reference](#) | [the Web](#)

Share This:



Rel:

Fi

Pe

Fi

[Free](#)

thesa

Explc

 I

avai



ADVERTISEMENT

Perform a new search, or try your search for "Unperforated" at:

Amazon.com - Shop for books, music and more

Reference.com - Encyclopedia Search

Reference.com - Web Search powered by Google

Thesaurus.com - Search for synonyms and antonyms

Get the Dictionary.com Toolbar for your browser - FREE download! *From the makers of Dictionary.com*

[About Dictionary.com](#) | [Privacy Policy](#) | [Terms of Use](#) | [Link to Us](#) | [Contact Us](#)

Copyright © 2007, [Lexico Publishing Group, LLC](#). All rights reserved.

EXHIBIT 4



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: PEMBERTON ET AL.

Serial No.: 10/734,461

Filed: 12/12/2003

For: "Method and Device for Preventing Pets from Clawing Home
Furnishings"

Examiner: Mark A. Osele

Art Unit: 1734

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF BONNIE PEMBERTON

1. My name is Bonnie Pemberton. I am the inventor of the invention disclosed in the above-noted application. I am over 21 years of age, of sound mind and willing and able to make the following Declaration.
2. I am a college graduate, having graduated from Texas Wesleyan University with a degree in business. While I have sold pet products for many years, I am not an expert in the field of plastics, adhesives or adhesive tapes. Moreover, I am not an expert in the field of packaging. I consider myself one of ordinary skill in the art when it comes to the subject matter of the invention disclosed in the application.
3. I have used the invention described in the application as the basis for my business, Fe-Lines, Inc. Fe-Lines, Inc. is a Texas corporation in good standing and has been in business since about 1981.
4. Fe-Lines, Inc. is in the business of selling pet products to distributors and the public. The pet products include many items, but specifically include the invention of the application. The company sells several embodiments of the invention including a "flat" version and a "corrugated" version. The "flat" version incorporates the elements of claim 1 of the patent application among others. The "corrugated" version incorporates the elements of claim 42 of the patent application among others. A copy of a picture of the "flat" version is attached to this Declaration as Exhibit A. A copy of a picture of the "corrugated" version of the invention is

attached as Exhibit B.

5. The invention has been a huge commercial success.

6. For example, Fe-Lines, Inc. began selling the claimed invention in 1996. At the outset, our sales figures began to climb rapidly from \$26,000 in 1996, to \$1 Million in 2005. This equates to a jump in sales of about 3,250 units per year to just over 203,000 per year. Since its inception, the company has sold over 1,500,000 packages of products incorporating the claimed invention.

7. I estimate the size of the market for those particular products to be about \$1,500,000.00 per year. Our percentage of that market or market share I estimate to be approximately 70-80%.

8. Over the years, our market share has grown. With the appearance of similar products, our market share has grown from 0% to almost 80% in less than 10 years.

9. The only prior art that is directly related to my invention that I am aware of is double sided tape offered by 3-M Company. The tape has a different construction. The tape includes a long coiled strip with a "non-sticky" layer on one side. It is very difficult to apply because it comes off the roll with a sticky side and is difficult to handle. It doubles back on itself and the adhesive side tends to come in contact with itself, snarling the application of the product. The advantages of the invention among others prevent this problem by providing bisected release layers which allow the product to be positioned with two non-sticky surfaces before the base layer and release layer are removed. The "two-part" release layer is also helpful in applying the product and is a huge advantage over the prior art.

10. In regards to the "flat embodiment", I have received praise from customers regarding the claimed features of the invention. Specifically, customers have expressed the advantage the combination of the transfer sheet, the strip and "two-part"/bisected release layers has in the ease of application of the invention to furniture and the like. Customers have also expressed adoration regarding the gap between the strips has in aiding in the removal of the strips from the transfer sheet. Additionally customers have disclosed their satisfaction regarding the adhesive's tack strength to easily cause an unpleasant sticking sensation. In my opinion, and based on comments that I received from customers, this claimed feature of the invention and others are the reason for its success.

11. In regards to the "corrugated embodiment" I have received acclaim from consumers regarding some of its features which include a strip (control sheet) with one surface being releasable adhered to a corrugated substrate and the other surface being adhered to a release layer. In my opinion, and based on comments that I received from customers, this claimed feature of the invention and others are the reason for its success. In my opinion, and based on comments that I received from customers, this claimed feature of the invention and others are the reason for its success.

12. Before my company launched a product embodying the elements of the claimed invention, it was relatively inexperienced in the market, and, because of the features of the invention has achieved a large market share.

13. The products sold by Fe-Lines, which incorporate the claimed invention have been the subject of industry recognition and awards. At various trade shows, including the Editors Choice Award from Cat Fancy Magazine in 1997 and 2003 (Exhibit H), the "Excellent" review from CATsumer Report in 1999, a formal "endorsement" from CATNIP! Newsletter in 1999 (Exhibit I), as well as a two-year "Seal of Approval" from the ASPCA in 2000 (Exhibit J). These awards specifically refer to the "Sticky Paws for Plants" and the "Sticky Paws for Furniture". The "Sticky Paws for Plants" is the "corrugated embodiment" of the invention covered by claim 42. The "Sticky Paws for Furniture" is the "flat embodiment" of the invention covered by claim 1.

14. I believe that the relatively quick rise in market share and sales is because of the elements of the claimed invention. For example, the company only spends a small fraction of its income on advertising.

15. Moreover, as the Patent Office can see, by looking at the product, we do not spend an inordinate amount of money on product presentation or packaging. I believe that the reason that customers buy the product is because of the advantages that the invention provides.

16. The Patent Office can see that both Exhibit A and Exhibit B (which are my company's products) are covered by and include the elements of claims 1 and 42, respectively.

17. There is also evidence of exact copying of the invention.

18. Attached to this Declaration is a copy of a photograph of a first competitor's product, which virtually identically copies one of the embodiments of the invention. *See*, Exhibit D. The dimensions of the product are similar. The substrate, the control layer and the bisected release layer are identical. The adhesive in the first competitor's product has been tested and determined to be nontoxic as claimed in my application for my invention. A copy of the test results showing the similarity in adhesive is shown in Exhibit K. This competitor is a larger better-established company than mine and has a large distribution network in place. Although I am unaware of the exact date that this competitor's product went into public use, I became aware of it well after I invented and began selling the devices as shown in Exhibits A & B and claimed in Patent Application Number 10/734,461.

19. There is additional evidence of copying because the label and instructions supplied with the competitive product are almost identical. For example, a copy of the instructions supplied to the customer by my company with the inner package of the product is attached as Exhibit C. Exhibit E is a photocopy of the first competitor's instructions.

20. Attached to this Declaration is an internet web page printout showing a second competitor's product, which also virtually copies the flat embodiment of my invention. In this instance the dimensions of the product are similar and the substrate, control sheet and bisected release layers are identical to my invention. *See*, Exhibit F.

21. The second competitor closely copied the instructions of the Fe-Lines product. A copy of the instructions from this competitor's product is attached as Exhibit G. The second competitor also used packaging very similar to that used for the Fe-Lines product. *See*, Exhibits F, G.

22. The products incorporating the claimed invention have been recommended in award-

winning books, including:

- Complete Kitten Care, by Amy D. Shojaei, a nationally known authority on pet care and behavior, a spokesperson for Purina®, and an award-winning author of more than a dozen nonfiction pet books.
- Kittens for Dummies, by Dusty Ratabolt, a nationally known authority on cat care and behavior, and an award-winning author and a regular contributor to the Whole Cat Journal and City + Country Pets.
- The Cat Fanciers' Association Complete Cat Book, by Mordecai Siegel, a nationally known, highly-regarded and widely published authority on pet care.
- Think Like A Cat, by Pam Johnson-Bennett, a Certified Animal Behavior Consultant and clinical member of the International Association of Animal Behavior Consultants. She is the author of a number of award-winning and critically acclaimed books and one of the country's most well-known and popular experts on cat behavior.

23. A copy of the entire packaging and display of the infringing device attached as Exhibit D is attached as Exhibit L.

I declare under penalty of perjury that the foregoing is true and correct.

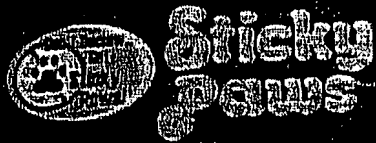
Date:

9/6/06


Bonnie Pemberton

APPLICANT'S PRODUCT

EXHIBIT A

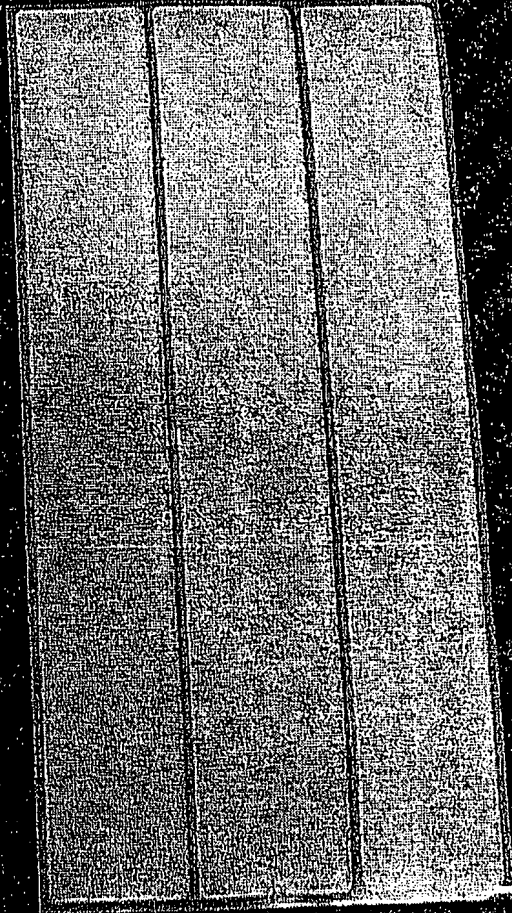


Stop Cats
from
Destroying
Furniture!

As soon as the cat's paw prints are made, the adhesive
of all furniture and fabrics is protected from
being scratched and torn by the cat's claws.

Transparent - applies directly to fabric!

Transp
Expend



APPLICANT'S PRODUCT

EXHIBIT B



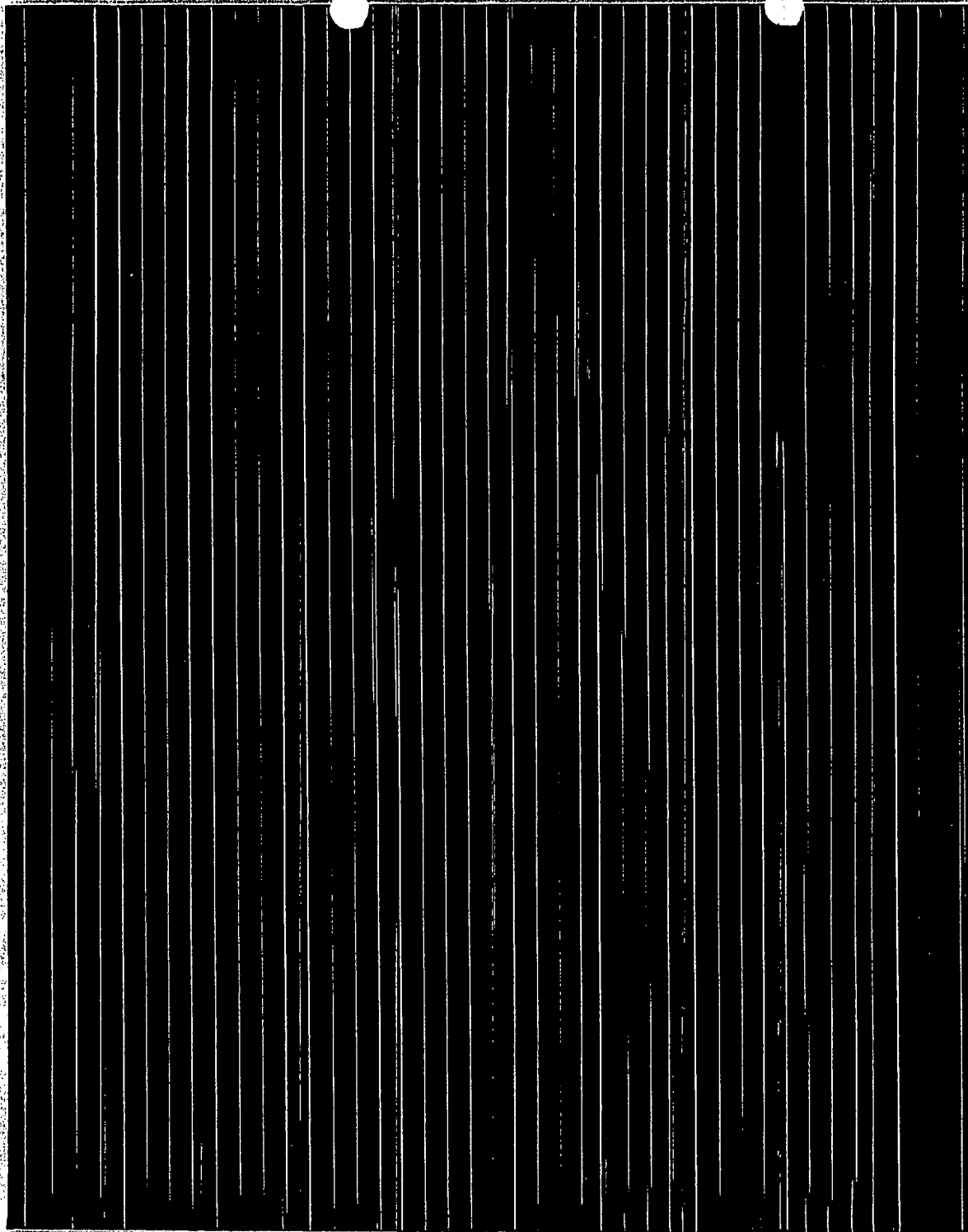
**Sticky
paws**
FOR PLANTS

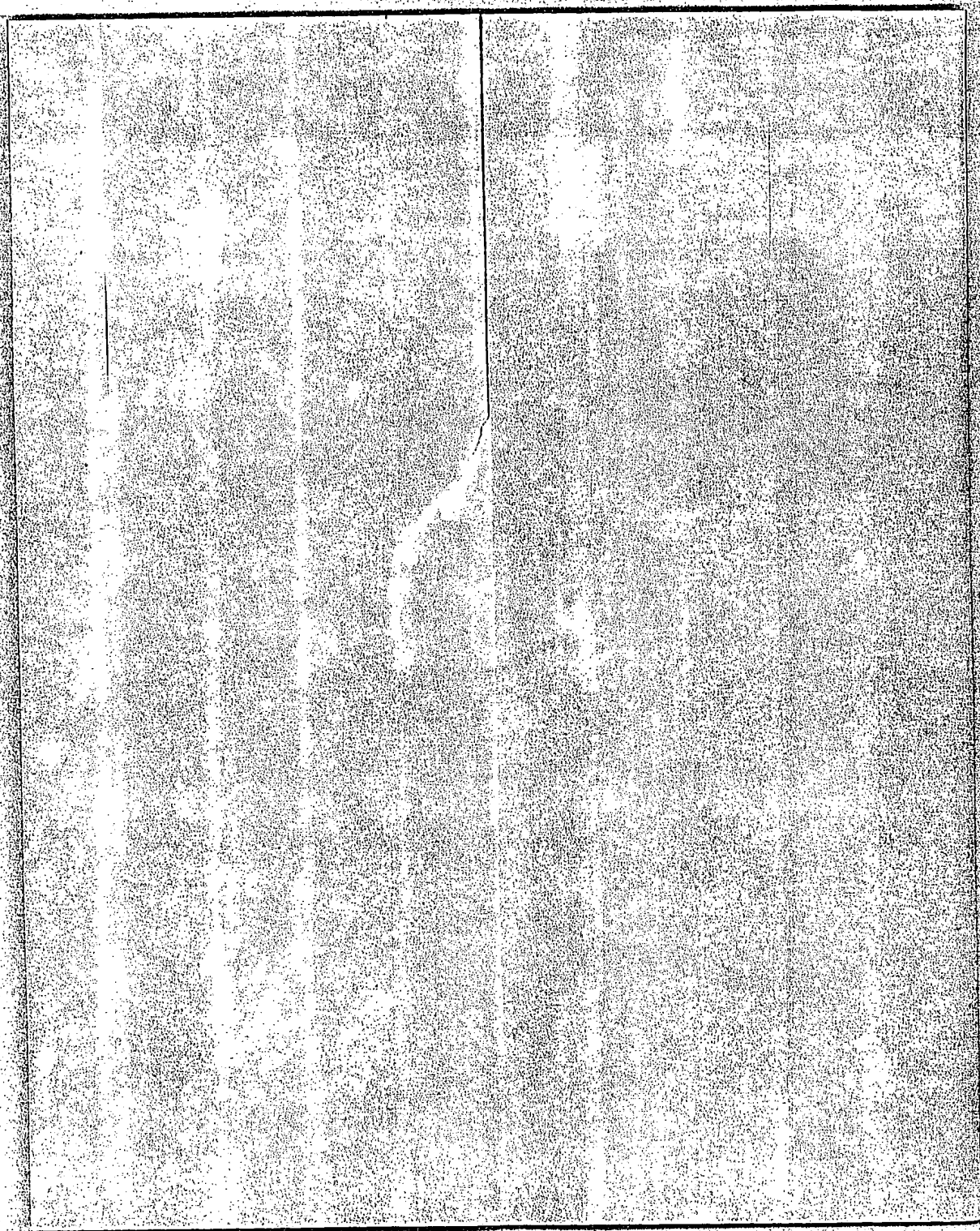
Keep Cats Out of House Plants for Good!

- ◆ Safe !
- ◆ Effective !
- ◆ Non-toxic !

10 Strips per package







APPLICANT'S PRODUCT INSTRUCTIONS

EXHIBIT C

HOW to APPLY Sticky Paws®

There are three (3) 12" x 2" Sticky Paws® strips on each brown base sheet. Each 2" strip has a thin cut down the middle to allow for **crack & peel** application.

Step 1: Remove single white Sticky Paws® strip from brown base sheet by gently peeling from the top down. sticky side of strip is now exposed underneath with white application "crack and peel" paper on top.

Step 2: Position strips sticky side down wherever needed, on furniture, etc. (Please see CAUTION below) Press firmly from top to bottom until strip has adhered to desired surface.

Step 3: When strip is in place, gently crack and peel the remaining layer of white paper off strip. Your transparent Sticky Paws® strip will now stay in position anywhere from weeks to months depending on the type of surface and position of the strips.

To remove, simply peel off by hand, or gently apply a damp cloth or steam. Replace as needed. Sticky Paws® is non-toxic, water soluble, and won't leave a sticky residue.

DISCLAIMER: Fe-lines, Inc. disclaims all warranties, express or implied (including, without limitation, the warranties of merchantability and of fitness for a particular purpose).

Sticky Paws® may damage certain surfaces (including, without limitation, wood finishes, painted surfaces, leather, vinyl, and wallpaper). So ALWAYS TEST a small piece of Sticky Paws® on an inconspicuous area before applying. Sticky Paws® is ineffective on surfaces treated with non-stick and/or stain-repellent products, such as Scotchgard™. In light of these considerations, it is the user's sole responsibility to determine whether Sticky Paws® is fit for a particular application, and to remove Sticky Paws® promptly from a surface to which it will not adhere and properly discard it. Sticky Paws® is not intended for animal or human consumption, and may cause injury or death. If ingestion occurs, seek immediate medical attention. In no event shall Fe-lines, Inc. be responsible for any damage to furniture or any other applications, or for any bodily injury or death to any person or animal.

2003-0806

Cómo utilizar Sticky Paws®

Cada laminilla café incluye tres tiras Sticky Paws® de 12" X 2". Cada tira de 2" tiene una delgada incisión en el medio que permite doblar y despegar la tira al aplicarla.

Primer Paso: Desprenda gentilmente sus tiras blancas Sticky Paws® de su base color café. Hágalo desprendiendo la tira de arriba hacia abajo. El lado pegajoso de la tira queda expuesto y el color blanco apuntando hacia arriba.

Segundo Paso: Coloque las tiras pegándolas en el lugar donde se necesite, por ejemplo en la esquina de sus muebles. Apriete la tira firmemente de arriba hacia abajo hasta que ésta esté completamente adherida a la superficie deseada.

Tercer Paso: Después de que su tira esté en el lugar correcto, gentilmente pellizque y remueva la superficie blanca de la tira. Su tira transparente Sticky Paws® ahora está lista para trabajar y quedarse en esa posición por semanas o meses dependiendo del tipo de superficie y posición de la tira.

Para remover las tiras, simplemente quítelas con la mano, o use un trapo húmedo o vapor. Reemplace sus tiras según lo necesite. Las tiras Sticky Paws® son un producto no tóxico, soluble al agua, y que no deja un residuo pegajoso al removerse.

EXCLUSIÓN DE GARANTÍAS: Fe-Lines, Inc. no ofrece ninguna garantía, expresa o implícita (incluidas, sin limitación alguna, las garantías de comerciabilidad y de idoneidad para un fin específico).

Sticky Paws® puede dañar determinadas superficies (incluidas, a título enunciativo, los acabados de madera, las superficies pintadas, el cuero, el vinilo y el papel pintado), por tanto, antes de su aplicación, pruebe siempre con un pequeño trozo de Sticky Paws® en una zona que pase desapercibida. Sticky Paws® es ineficaz en las superficies tratadas con productos antiadherentes o quitamanchas, como por ejemplo Scotchgard™. Teniendo esto en cuenta, es responsabilidad exclusiva del usuario determinar si Sticky Paws® es adecuado para una aplicación específica y retirar Sticky Paws® inmediatamente de una superficie a la que no se adherirá, así como deshacerse de él apropiadamente. Sticky Paws® no está concebido para el consumo por parte de animales o personas y puede causar lesiones o muerte. En caso de que se ingiera, consulte inmediatamente a un médico. Fe-Lines, Inc. no será responsable en ningún caso de los daños producidos a muebles o cualquier otra aplicación, ni de las lesiones o muerte causadas a personas o animales.

Pour utiliser Sticky Paws®

Chaque folio marron contient trois bandes de Sticky Paws® 12" X 2". Chaque bande de 2" est pourvue d'une mince ligne de séparation au milieu. Pliez à cet endroit et pelez la bande.

Premier pas: Pelez les bandes blanches de Sticky Paws® du folio marron avec précaution en tirant de haut en bas. La face inférieure collante est maintenant découverte et la face blanche avec la ligne de pliure mince est en haut.

Deuxième pas: Appliquez les bandes sur les meubles à protéger avec la face collante en dessous. Appuyez dur de haut en bas jusqu'à ce que la bande adhère fermement à la surface concernée.

Troisième pas: Dès que la bande adhère bien, tirez sur le film de papier blanc du dessus pour l'enlever. Vous avez alors sur votre meuble une bande transparente de Sticky Paws® qui reste collée pendant des semaines et des mois (suivant la constitution de la surface et la position de la bande).

Pour enlever la bande de Sticky Paws®, tirez tout simplement à la main. Vous pouvez également froter légèrement avec un chiffon humide ou utiliser la vapeur. "Bas les pattes" est un produit non toxique, soluble à l'eau, et il ne laisse aucune trace de colle.

RÉNONCIATIONS: Fe-lines, Inc. n'offre aucune garantie, expresse ou implicite (incluant, sans limitation, les garanties de la commerciabilité et de l'aptitude pour une détermination particulière).

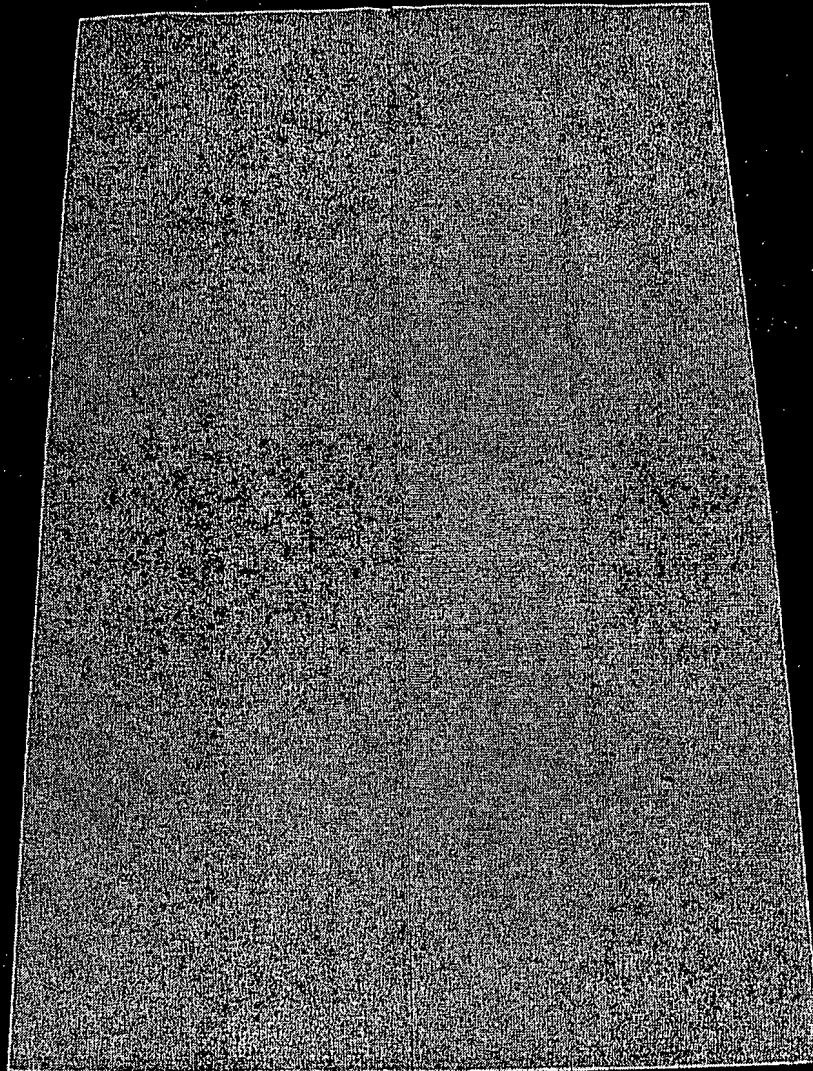
Sticky Paws® peut endommager certaines matières surfaces (incluant, sans limitation, les surfaces de bois, les surfaces peintes, le cuir, le vinyle et les tapisseries). Pour cette raison, essayez toujours d'utiliser Sticky Paws® sur un petit endroit invisible avant de l'utiliser. Sticky Paws® n'est pas efficace sur les surfaces traitées avec les produits anti-adhésives ou anti-taches, comme Scotchgard™. Rendant compte de celles considérations, c'est la seule responsabilité de l'utilisateur à faire la détermination si Sticky Paws® est convenable pour une application particulière et d'enlever Sticky Paws® immédiatement d'une surface à laquelle il n'adhère pas et de le mettre au rebut de la manière appropriée. Sticky Paws® n'est pas destiné à la consommation animale ou humaine et peut causer des blessures ou la mort. En cas d'ingestion, consultez immédiatement un médecin. Fe-lines, Inc. ne sera responsable en aucun cas d'endommages aux meubles ou n'importe quelles autres applications, ni en cas de blessures de corps ou mort à aucune personne ou animal.



Fe-Lines, Inc., 2806 6th Ave., Fort Worth, TX 76110 - www.stickypaws.com

FIRST COMPETITOR'S PRODUCT

EXHIBIT D



FIRST COMPETITOR'S INSTRUCTIONS

EXHIBIT E

PAWS AWAY!

STOP cats from
scratching!
Empêche le chat de faire ses griffes!

Use on counter tops, drapes, stereo speakers, & more!

Utiliser sur un dessus de comptoir, sur les draps, sur les haut-parleurs et plus.

Not recommended for use on wood, glass, or other surfaces that may be damaged by the adhesive.

HOW TO USE PAWS AWAY

1. Remove individual PAWS AWAY strip from the base sheet by gently peeling it off from the top down. The sticky side of strip is now exposed on the bottom with the glossy "Crack & Peel" on top.

2. Position strip sticky side down wherever needed. Please see CAUTION below. Press the "PAWS AWAY" strip firmly from top to bottom until strip has adhered to the desired surface.

3. Gently "Crack & Peel" the remaining layer of glossy paper off the strip once it is in place. Your transparent PAWS AWAY strip will now stay in position anywhere from weeks to months depending on the type of surface and position of the strips.

4. TO REMOVE PAWS AWAY STRIPS - Simply peel off or gently apply a damp cloth or a little steam. The strips are water soluble non-toxic and will not leave a sticky residue.

5. POUR ENLEVER UNE BANDE PAWS AWAY - décoller en tirant doucement ou appliquer un linge humide ou un peu de vapeur. Les bandes sont solubles à l'eau et non-toxiques. Elles ne laisseront aucun résidu collant.

6. No Dégriffez Pas! S.V.P. lisez-en plus à ce sujet. www.pawproject.org

7. CAUTION: PAWS AWAY may damage certain surfaces so ALWAYS TEST A SMALL PIECE OF PAWS AWAY in an inconspicuous area before applying. PAWS AWAY will not work on surfaces treated with non-slick and/or stain repellent products such as Scotchgard R. Therefore, it is the user's responsibility to determine whether PAWS AWAY fits for a specific use. Neither Cosmic Pet Products nor its resellers will be responsible for any damage to furniture or other surfaces caused by applying PAWS AWAY to it.

8. PRECAUTIONS: PAWS AWAY peut endommager certaines surfaces, donc il est très important de TOUJOURS ESSAYER UN PETIT MORCEAU DE PAWS AWAY sur un endroit peu apparent avant l'application. PAWS AWAY ne collera pas sur une surface traitée avec un anti-éclaboussure tel que Scotchgard R. Par conséquent, il est de la responsabilité de l'utilisateur de déterminer si PAWS AWAY doit être placé pour une utilisation spécifique. Ni Cosmic Pet Products ni les détaillants ne seront tenus responsables des dommages faits aux meubles ou autres surfaces à cause de l'utilisation de PAWS AWAY.

9. Step 1 - Remove individual PAWS AWAY strip from the base sheet by gently peeling it off from the top down. The sticky side of strip is now exposed on the bottom with the glossy "Crack & Peel" on top.

10. Étape 1 - Enlever les bandes individuelles PAWS AWAY de la feuille de base en la tirant doucement. Le côté collant de la bande est maintenant exposé vers le bas avec le côté brillant déjà coupé vers le haut.

11. Step 2 - Position strips sticky side down wherever needed. Please see CAUTION below. Press the "PAWS AWAY" strip firmly from top to bottom until strip has adhered to the desired surface.

12. Étape 2 - Positionner le côté collant à l'endroit voulu. Lire la section PRÉCAUTIONS plus bas. Appuyer sur la bande PAWS AWAY fermement de haut en bas jusqu'à ce que la bande adhère bien sur la surface désirée.

13. Step 3 - Gently "Crack & Peel" the remaining layer of glossy paper off the strip once it is in place. Your transparent PAWS AWAY strip will now stay in position anywhere from weeks to months depending on the type of surface and position of the strips.

14. Étape 3 - Une fois que la bande est bien en place, décoller doucement le papier brillant. La bande transparente PAWS AWAY restera en place n'importe où de plusieurs semaines à plusieurs mois dépendant du type de surface et de la position de la bande.

15. TO REMOVE PAWS AWAY STRIPS - Simply peel off or gently apply a damp cloth or a little steam. The strips are water soluble non-toxic and will not leave a sticky residue.

16. POUR ENLEVER UNE BANDE PAWS AWAY - décoller en tirant doucement ou appliquer un linge humide ou un peu de vapeur. Les bandes sont solubles à l'eau et non-toxiques. Elles ne laisseront aucun résidu collant.

17. No Dégriffez Pas! S.V.P. lisez-en plus à ce sujet. www.pawproject.org

18. CAUTION: PAWS AWAY may damage certain surfaces so ALWAYS TEST A SMALL PIECE OF PAWS AWAY in an inconspicuous area before applying. PAWS AWAY will not work on surfaces treated with non-slick and/or stain repellent products such as Scotchgard R. Therefore, it is the user's responsibility to determine whether PAWS AWAY fits for a specific use. Neither Cosmic Pet Products nor its resellers will be responsible for any damage to furniture or other surfaces caused by applying PAWS AWAY to it.

19. PRECAUTIONS: PAWS AWAY peut endommager certaines surfaces, donc il est très important de TOUJOURS ESSAYER UN PETIT MORCEAU DE PAWS AWAY sur un endroit peu apparent avant l'application. PAWS AWAY ne collera pas sur une surface traitée avec un anti-éclaboussure tel que Scotchgard R. Par conséquent, il est de la responsabilité de l'utilisateur de déterminer si PAWS AWAY doit être placé pour une utilisation spécifique. Ni Cosmic Pet Products ni les détaillants ne seront tenus responsables des dommages faits aux meubles ou autres surfaces à cause de l'utilisation de PAWS AWAY.

PAWS AWAY!

STOP cats from scratching!

safe for cats & fabric

use on counter tops, drapes, stereo speakers & more



PAIN HURTS!
Don't Declaw!

Please read more about it at
www.pawproject.org

contains 24 strips
contient de 24 strips

SECOND COMPETITOR'S PRODUCT

EXHIBIT F

protect your furniture from clawing Cats!

The UK's Premier Pest Control Solution

Pest Control By Mail Order - Delivered Straight To Your Door!

HOME | CONTACT | FAQs

Home > Cats and Dogs > Sticky Claws (12 Strips Per Pack)

Price

£4.99

Ants
Aphids/Other Insects
Cats and Dogs
Fleas
Flies
Electronic Fly Killers
Glue Board Fly Killers
Mice
Moles
Mosquitoes
Moths
Rats
Slugs and Snails
Spiders
Vine Weevil
Wasps
Weeds
Woodlice

- Simple and effective.
- Completely harmless to both Cats and furniture.
- Unobtrusive to the eye.

How It Works

stops pet cats from clawing and scratching in the home by using a specially designed transparent sticky strip.

Cats do not like sticky surfaces and will not scratch and claw where is placed. Completely harmless to the cat and to furniture.

Size

Each Strip 29 x 11cm

Stop Cats from
Destructing Furniture!



Add 1

Stock Status
Want To Pay

[TOP SE](#)
[Live Mouse](#)



More

[Ultrasonic Mo](#)
[Repeller](#)



More

[Mole Repe](#)



More

[Ultrasonic Re](#)



More

FOR AMERICAN SHOPPERS
THIS PRODUCT IS NOT AVAILABLE FOR SALE INTO THE USA!!

< Back

Fire Pits
Gas Barbecues
Patio Heaters

buy now pay later with
able 2 buy
Pay Nothing For 6 Months!
On Selected Lines

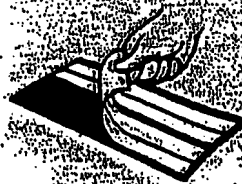
SECOND COMPETITOR'S PRODUCT INSTRUCTIONS

EXHIBIT G

**Protects Furniture,
Curtains, Carpets,
Hi-Fi Speakers etc.
from Cats' Claws**

INSTRUCTIONS:

Each base sheet has 2 strips.
Each strip is covered with a
top layer of paper which is cut down the
middle.



Step One: Remove a
strip from
base sheet exposing the
sticky underside (do not
peel off the top layer of
paper at this stage).



Step Two: Position the
strip wherever needed,
on furniture, curtains etc.
Press firmly until the strip
has fully adhered.



Step Three: Carefully
peel off the top layer of
paper. The
strip will now
stay in position from
weeks to months.

To remove, simply peel off by hand or
gently apply a damp cloth. Replace as
needed.

is non-toxic and won't leave
a residue.

is not recommended for
wood finishes, painted surfaces, leather,
vinyl or wallpaper.

AWARD

EXHIBIT H

Certificate of Achievement

The Editors and Product Review Panel of CAT FANCY magazine proudly present

1998 Editors' Choice Award

for one of the

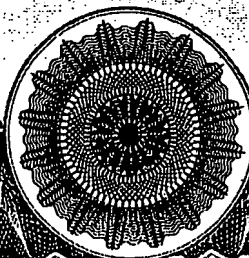
Best New Cat Products of 1997

to

Sticky Paws for Plants & Sticky Paws for Furniture

Congratulations to Fe-Lines Inc.

Jane Calloway
Jane Calloway, Editor



AWARD

EXHIBIT I

[REDACTED]
[REDACTED]
Phone: [REDACTED]

February 19, 1999

Bonnie Pemberton, President
FE-LINES, Inc.
[REDACTED]
[REDACTED]

Dear Ms Pemberton:

I ran an endorsement for Sticky Paws on page 8 of this winter edition of our newsletter. This is hardly big time - CATNIP! goes out to about 350 customer households - but at least it's a class publication with an attentive readership.

This was a completely spontaneous endorsement based on our experience with your product.
[REDACTED]
[REDACTED]
[REDACTED]

Sincerely,
[REDACTED]
[REDACTED]
[REDACTED]

AWARD

EXHIBIT J

ASPCA[®] Consumer Products News Release

For: Immediate Release
Contact: [REDACTED]
[REDACTED]

The American Society for the Prevention of Cruelty to Animals
424 East 92nd Street
New York, NY 10128 www.asPCA.org

ASPCA[®] Seal of Approval Granted To Sticky Paws For Furniture[™] And Sticky Paws For Plants[™]

(February 1, 2000) New York - The ASPCA has recently issued its Seal of Approval to Fe-Line's Sticky Paws[™] for Furniture and Sticky Paws[™] for Plants.

Sticky Paws[™] for Plants helps keep cats out of house and potted plants. These 2" x 12" brown corrugated plastic strips are sticky on one side and can be easily cut to size to surround the tree in the plant's pot. Sticky Paws[™] for Plants are effective, waterproof and won't interfere with watering. Sticky Paws[™] for Furniture stops cats for scratching furniture. These 2" x 12" transparent acrylic adhesive strips apply directly to furniture, drapes, stereo speakers, counter-tops and anywhere else cats should not be! StickyPaws[™] is a safe and effective product that won't harm cats or furniture. It is water-soluble and won't leave a residue when removed.

3% of all sales of these products will directly benefit ASPCA national humane programs. For more information on these products, please contact Fe-Lines at (817) 926-3023 or 888-697-2873, or visit Fe-Line's website: www.stickypaws.com. Other recent Seal of Approval recipients also include Mymark's Pet Step[™] pet ramp and Transoniq's Wodent Wheel[™] for small animals. The 3-year old ASPCA Seal of Approval pet product evaluation program includes such leading manufacturers as Duskocil, Johnson Pet-Dor, Prestone, T.F.H/Nylabone and over 30 others.

The American Society for the Prevention of Cruelty to Animals was founded in 1866 as the first humane organization in the Western Hemisphere. Today, the ASPCA has over 475,000 members and donors, and continues to prevent cruelty and alleviate the pain, fear, and suffering of animals through nationwide education, awareness, legal and legislative programs. Additionally, The ASPCA operates a full service animal hospital, adoption facility, and Humane Law Enforcement Department in its New York City headquarters. For more information about the ASPCA, visit our web site at www.asPCA.org.

###

TEST RESULTS

EXHIBIT K

January 28, 2004

Mr. Chris Ruben
Fe-Lines, Inc.
[REDACTED]

SUBJECT: Chemical analysis on several adhesive tapes and consulting on product as requested by the above company.
Purchase Order Number

RECEIVED: 1. Sticky Paws for Furniture
[REDACTED]

3. Paws Off! (Roll)

4. Paws Away (Strips)
[REDACTED]
[REDACTED]
[REDACTED]

POLYMER IDENTIFICATION: ASTM D 3677-00

Instrument: Perkin Elmer Spectrum BX Spectrometer
Resolution: 4.0
Number of Scans: 6
Method of Preparation: Film Method

Sample Identification

Sticky Paws
[REDACTED]

Paws Off

Paws Away
[REDACTED]
[REDACTED]

Polymer Identification

Polyacrylate*
[REDACTED]

Styrene-isoprene-Styrene / Styrene-butadiene-Styrene

Poly(butyl acrylate)**
[REDACTED]
[REDACTED]

* The Sticky Paws sample appears to be Poly(ethylhexyl acrylate) [REDACTED]
[REDACTED]

** Best matches in our Polyacrylate libraries

Enclosed please find the infrared spectra of the samples.

Page 2

GAS CHROMATOGRAPHY/MASS SPECTROMETRY (GC/MS)

Samples: XXXXXXXXXX Sticky Paws

RESULTS

RESULTS
None of the extracts of the three tapes evaluated contained organic additives. All contained polymer fragments. Enclosed are the chromatograms for reference.

COMMENTS

COMMENTS
The following discussion is an attempt to answer questions submitted

- Polymer fingerprints and identification were performed on six (6) different samples
- The adhesive used in Sticky Paws [REDACTED] are comprised of a family of adhesives identified as polyacrylates but appear to be different in the type of monomer used to produce the polyacrylates.
- All the tapes contain FDA approved polymers and have been used as adhesives for skin contact. [REDACTED]

The product life depends on the substrate that it is attached including such solid material characteristics as surface contact area, type of finish, surface tension, etc., if product life ends when the adhesive cannot be easily removed from the substrate.

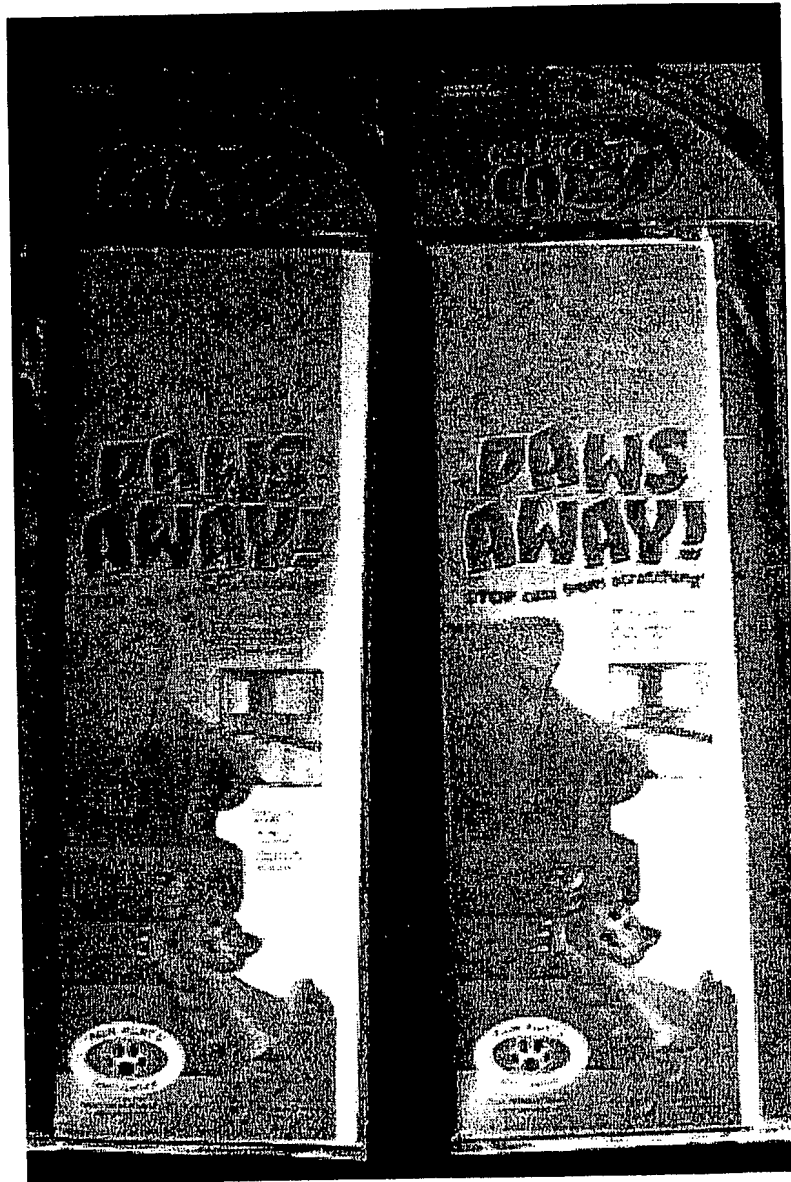
Mr. Chris Ruben
Fe-Lines, Inc.
Project Number:
Page 3

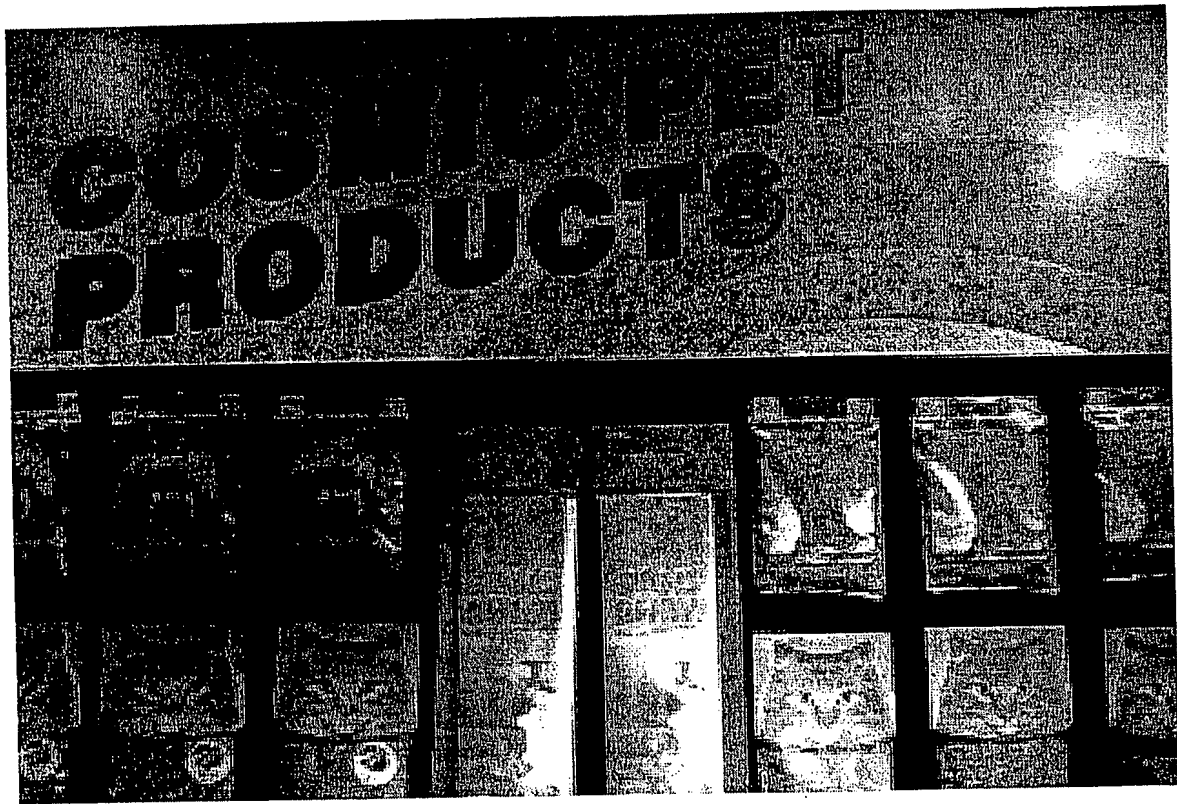
COMMENTS - Continued

- The adhesive used in Sticky Paws is used in the Medical supplies field. FDA does not sanction products but dictates what testing and requirements are required for a specific application. The FDA regulates food and drugs and items that will come in contact with such or added to.
- The adhesives used in Sticky Paws and Paws Away are both polyacrylates; however, the monomers used to manufacture those adhesives appear to be different.
- [REDACTED]
- We would suggest isopropanol or rubbing alcohol. It will not dissolve the adhesives but soften them up enough to be able to ball it up from solid substrates. One may have to carefully work at fabric substrates. Of course, one must first test a non-conspicuous portion of the substrate to determine if any damage may occur to the substrate.
- Same as above

FIRST COMPETITOR'S DISPLAY AND PACKAGING

EXHIBIT L





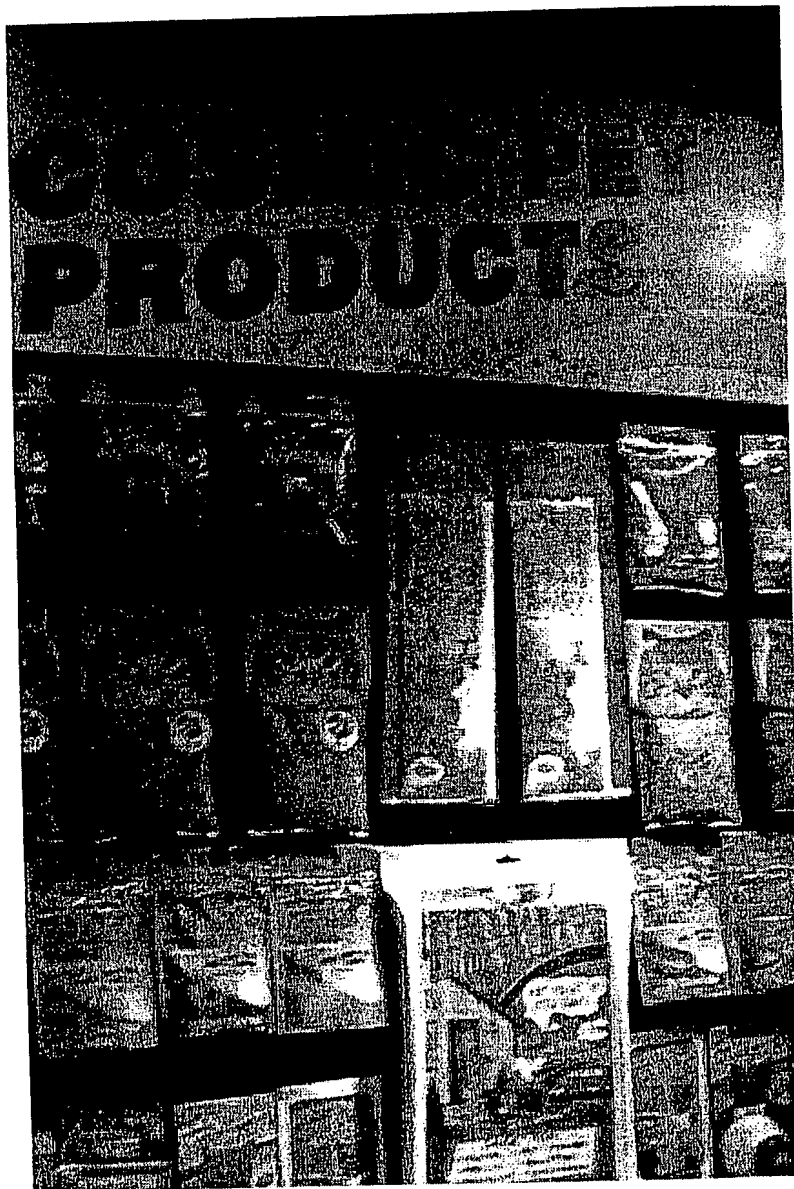


EXHIBIT 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: BONNIE PEMBERTON

Serial No.: 11/084,540

Filing Date: 03/18/2005

Title: METHOD AND DEVICE FOR PREVENTING PETS FROM
 CLAWING HOME FURNISHINGS

Examiner: Patricia L. Nordmeyer

Art Unit: 1772

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF CHRIS RUBEN

1. My name is Chris Ruben. I am over 21 years of age, of sound mind and willing and able to make the following Declaration.
2. I am the president and chief executive officer of CMR Creative Marketing Resources, Inc., a Texas corporation in good standing. The company is in the business of marketing pet products to distributors and consumers throughout the United States and abroad. Over a period of 8 years, my company has been involved in marketing products for Fe-Lines, Inc., including the invention of the application noted above.
3. While I have sold pet products for many years, I am not an expert in the filed of plastics, adhesives or adhesive tapes. Moreover, I am not an expert in the field of packaging. I consider myself one of ordinary skill in the art when it comes to the subject matter of the invention disclosed in the application.
4. The product has been immensely successful in the marketplace. It has grown from a market share of approximately zero in 1996 to a zenith to control a market share of approximately 80% of this product in the United States.
5. I have attended domestic and international trade shows at which the product of Fe-Lines incorporating the elements of the invention has been displayed. I have witnessed the presentation of the competing products in these same trade shows indicating that the product of the invention incorporating the elements of the invention and the competitor's products move in

the same channels of trade. Moreover, at least one of Fe-Lines' customers of the product incorporating the elements of the invention has purchased one of the competing products providing further evidence of the same customers and channels of trade.

6. Before competitors began copying the product, there was no product that incorporated the advantages of the claimed invention on the marketplace. Specifically, those claimed advantages include among others a bisected release layer, and other features such as a transfer sheet, a control sheet adjacent to the transfer sheet, a bisected release layer adjacent to the control sheet, and wherein the first release sheet and the second release sheet abut but do not overlap. The abutment provides the ability to peel one layer from the transfer sheet and apply it while leaving a non-sticky surface to help in handling. Moreover, the product is useful around "corners" of furniture where an unbisected release layer would not function at all.


7. Advantages contained within the corrugated embodiment of the product that are important to the success of the product includes a strip (control sheet) with one surface being releasable adhered to a corrugated substrate and the other surface being adhered to a release layer. Customers have expressed to me they have purchased and continue to use and be pleased with the invention disclosed in the corrugated embodiment because of the combination of the rigid corrugated substrate with a releasable adhere strip and the release layer.

8. In my experience, customers are extremely satisfied and pleased with the claimed features and function of the invention. For example, at trade shows, I have been directly approached by customers who have directly stated the combination of the transfer sheet, the strip and "two-part"/bisected release layers aids in the application of the invention to furniture and the like. Customers have also expressed satisfaction regarding the gap between the strips on the transfer sheet. Additionally customers have told me that they are pleased in the adhesive's ability to deter their pets' behavior because it causes an unpleasant sticking sensation when touched.

9. Additionally, large-scale buyers of the product have commented that products incorporating the elements of the invention sell well because of its claimed features, including, but not limited to the bisected release layer, the combination of the transfer sheet, the strip and "two-part"/bisected release layer and the adhesives' ability to cause an unpleasant sticking sensation.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 09/06/06



Chris Ruben

EXHIBIT 6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: PEMBERTON ET AL.

Serial No.: 10/734,461

Filed: 12/12/2003

For: "Method and Device for Preventing Pets from Clawing Home
Furnishings"

Examiner: Mark A. Osele

Art Unit: 1734

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION OF BONNIE PEMBERTON

1. My name is Bonnie Pemberton and I make this declaration in support of the above noted United States Patent Application. I am over 21 years of age, of sound mind and willing and able to make the following Declaration and all facts recited are with my personal knowledge.

2. I have reviewed the Office Action of September 25, 2006. The examiner takes the position that my invention was a replacement of the prior art double sided tape offered by the 3M Company, and further implies my invention was merely a repackaging and remarketing of the 3M product. This is not correct. The 3M tape did not have the bisected release layer of my invention. Furthermore, the 3M tape was not completely bisected along an axis parallel to its length. The 3M tape was not provided with a base release sheet and a top release sheet. Also, the 3M tape was rolled and not provided flat or in strips as required by my invention. Therefore my invention was not a repackaging of the prior art but rather is substantially different from and a substantial improvement over the prior art 3M tape.

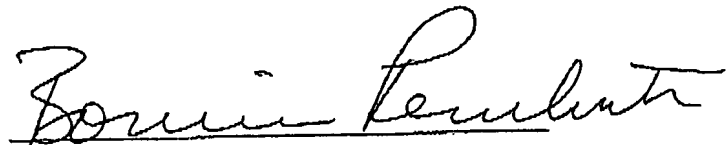
3. The examiner questions whether the market of the stated market share growth includes all double-sided adhesive tapes, including the rolled adhesive tape of 3M or only the double sided adhesive tapes marketed at cat owners for scratch prevention. The examiner implies that an important factor determining market success attributable to product improvements would be whether the double sided adhesive tape roll of 3M tape was sold in pet stores prior to 1996 and questions whether it was ever placed in a way to attract cat owners for its specific use as a cat deterrent. Presumably the examiner means that if the 3M double sided tape was not ever

marketed in a way to attract cat owners for its specific use as a cat deterrent, then the increase in sales of my invention is a result of marketing, packaging, and perhaps advertising instead of because of the features of my invention. But, there is no evidence of this position, it is merely speculation. There is evidence that double sided tape was known to cat owners--in fact the Examiner provided two separate articles in 1998 showing the uses of double sided tape. See, "Claws and All: Living With Your Cat, Your Furniture and Your Piece of Mind", HSUS News, p. 1-4 WWW.HSUS.ORG/CLAWS.HTML, 1996 and "Basic Training for Your Cat"; Perfect Paws, P. 1-2 WWW.PERFECTPAWS.COM/TRAM.HTML, 1995 (cited by the Examiner Sept. 28, 1998). It is manifestly unfair to discount the drastic increase in sales of my invention because of speculation that a single 3M product was or was not marketed in a particular way. In the market of double sided adhesive tapes for pet scratch prevention, Fe-Lines, Inc.'s share of the market has grown from 0% to almost 80% in less than 10 years despite the company spending only a small fraction of its income on advertising. Fe-Lines, Inc.'s market share has grown even with the subsequent emergence of products similar in presentation and functionality to the claimed invention. I believe the relatively quick rise in market share is because of the elements of the claimed invention as opposed to the packaging, the elements of the claimed invention being a bisected release layer adjacent to a strip having adhesive surfaces on opposite sides adjacent to a planar transfer sheet. Also, there is evidence from the Declaration of Chris Ruben in the record that many customers have bought my invention because of these features. I have never had a customer tell me in all the years I have sold the product that they bought it because of the package or the way that we advertised it.

4. The examiner suggests that the ASPCA Seal of Approval was given in exchange for payment to the ASPCA. But this is not correct. The ASPCA scrutinizes pet related products to ensure claimed functionality and the safety of pets. Products submitted for the Seal of Approval are reviewed by a panel of ASPCA experts comprised of veterinarians, veterinary toxicologists, animal behaviorists, and animal science specialists nationally renowned in their scientific fields. The ASPCA award is only given after a product passes all tests for quality and safety. Therefore the "Seal of Approval" awarded by the ASPCA in 2000 is not a "quid pro quo" for payment. It is a bona fide and deserved award for my product incorporating my invention.

I declare under penalty of perjury that the foregoing is true and correct.

Date: 3/12/07


Bonnie Pemberton